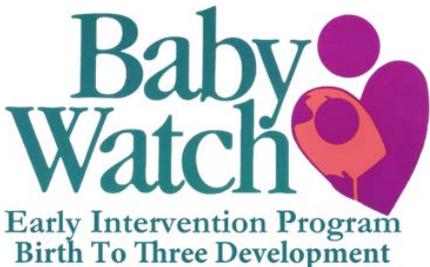


## 1. B.10 Transition to Preschool and Other Programs

### I Policy Index:

	<b>Policy #:</b>	<b>1.B.10</b>
	<b>Distribution:</b>	<b>Public</b>
	<b>Date Policy Developed:</b>	<b>2/06/2013</b>
	<b>Public Participation</b>	<b>2/7/2013 – 4/7/2013</b>
	<b>Policy Revisions</b>	<b>6/20/2013, 10/06/14</b>
	<b>Date OSEP Approved Policy:</b>	<b>6/26/2013</b>
	<b>Date Policy Signed:</b>	<b>7/01/2013, 10/06/14</b>
	<b>Date Policy Effective:</b>	<b>7/01/2013</b>
	<b>Responsible Authority</b>	<b>BWEIP Manager</b>

### II Purpose:

To describe the procedures used to ensure a smooth transition for all children and families receiving services in the Baby Watch Early Intervention Program (BWEIP) to preschool or other appropriate services at age three (3), or who are exiting the BWEIP before age three (3).

### III Definition(s):

#### **Baby and Toddler Online Tracking System (BTOTS):**

Baby and Toddler Online Tracking System (BTOTS) is a Utah database application designed to track EI activities and information, assist EI providers in day-to-day activities, encourage compliance with state and federal regulations and simplify compliance monitoring by allowing the BWEIP access to statewide child information.

#### **Early Intervention (EI):**

Early Intervention (EI) refers to programs or services which are selected in collaboration with parents, and are designed to meet the developmental needs of a child and the needs of the family to assist in the child's development.

#### **Individualized Education Program (IEP):**

An Individualized Education Program (IEP) is a written statement for a student with a disability that is developed, reviewed, and revised in accordance with part B of IDEIA.

#### **Individualized Family Service Plan (IFSP):**

An Individualized Family Service Plan (IFSP) is a working document agreed upon by EI service providers and family members to address the special needs of eligible children from birth to three (3).

#### **Individuals with Disabilities Education Improvement Act (IDEIA):**

The Individuals with Disabilities Education Improvement Act is the federal law set forth by the United States that governs how states and public agencies provide early intervention special education and related services to children with disabilities.

**Infant or Toddler with a Disability (Child):**

A child under three (3) years of age who needs EI services because s/he is experiencing a developmental delay in one or more of the following areas:

- Cognitive development;
- Physical development, including vision and hearing;
- Communication development;
- Social or emotional development;
- Adaptive development; or
- Is diagnosed with a physical or mental condition that has a high probability of resulting in a developmental delay.

**Local Education Agency (LEA):**

A Local Education Agency (LEA) refers to the public school district (Part B Preschool Program) where the family resides.

**Parent:**

A biological or adoptive parent of a child, a foster parent, a guardian generally authorized to act as the child's parent or authorized to make EI, educational, health, or developmental decisions for the child, an individual acting in the place of a biological or adoptive parent with whom the child lives or an individual who is legally responsible for the child's welfare, or a surrogate parent as assigned by the BWEIP.

**Referral Notification:**

Referral notification is the automatic, electronic referral information from BTOTS to TEDI to the SEA/LEA for children who are receiving EI services and who are potentially eligible for part B services.

**State Educational Agency (SEA):**

The State Educational Agency (SEA) is the Utah State Office of Education.

**Transition from Early Intervention Data Information System (TEDI):**

TEDI is a database that was developed through collaboration between BWEIP and the SEA to electronically transmit child transition information between BWEIP and the SEA and the appropriate LEA.

**Lead Agency (LA):**

The lead agency is the Utah Department of Health, the Baby Watch Early Intervention Program, which has been designated by the Governor with the single line of responsibility to carry out all the provisions of the part C program under IDEIA.

**IV Principles and Procedure(s):****A. Oversight and Supervision**

1. BWEIP shall ensure:
  - a. A smooth transition for children from EI services to preschool or other appropriate services at age three (3), or who are exiting the BWEIP before age three (3) as supported through an interagency agreement between BWEIP, the Lead Agency (LA), the Utah State Office of Education (the SEA) and the Utah Schools for the Deaf and the Blind. The interagency agreement (as addressed within this policy) is required by part C and is updated as needed to meet the requirements of IDEIA.

- b. BWEIP shall ensure compliance with part C requirements for a smooth transition from the BWEIP to part B preschool or other services through its General Supervision and monitoring system.
- c. EI programs shall have interagency agreements with their respective LEA(s).

## **B. Referral Notification to the SEA and appropriate LEA**

1. For the purpose of transition planning, any child enrolled in the BWEIP program between ages twenty-seven (27) and thirty-six (36) months is considered potentially eligible for preschool special education services.
2. BWEIP shall ensure that:
  - a. EI programs send a referral notification to the SEA and LEA electronically from BTOTS to TEDI when the child is twenty-seven (27) months of age if the child is enrolled, or at the time of the development of the initial IFSP for children who enter EI after twenty-seven (27) months of age unless the parent opts out of the referral.
  - b. Referral information includes:
    - 1) Child's name;
    - 2) Date of birth;
    - 3) Primary language; and
    - 4) Parent/guardian contact information:
      - a) Name;
      - b) Address; and
      - c) Telephone number.
3. EI programs shall inform the parent/guardian of a child during the development or review of the IFSP closest to the child's second (2<sup>nd</sup>) birthday of the required referral notification and provide him/her an opportunity to decline the referral notification (Opt Out).
  - a. The parent/guardian may decline the referral notification by signing *the* Disclosure of Referral Information form.
4. A referral notification will not be sent if the parent/guardian declines the referral notification in writing.
5. The parent may reverse their decision to decline the **Disclosure of Referral Notification from Part C to Part B** at any time by providing written notice to the EI program. The referral information will then be sent to the SEA and LEA electronically through BTOTS to TEDI.
6. If a toddler is determined eligible for EI services after thirty (30) months of age but not more than thirty-four and one half (34.5) months of age, and the family does not decline the referral notification the EI program shall, as soon as possible, notify the SEA and the appropriate LEA electronically through BTOTS to TEDI.
7. If a child is referred to an EI program fewer than forty-five (45) days before that child's third (3<sup>rd</sup>) birthday, and that child may be eligible for special education preschool services under part B, the EI program, with parental consent, shall refer the child to the SEA and the appropriate LEA through written or verbal means. The EI program shall not conduct an evaluation, assessment, or an initial IFSP meeting under these circumstances.

## C. Transition Plan

1. BWEIP shall ensure that, for all children, the EI program shall:
  - a. Not fewer than ninety (90) days, and at the discretion of all parties, not more than nine (9) months before each child's third (3<sup>rd</sup>) birthday, with the IFSP team, including the family, establish a transition plan in the child's IFSP.
  - b. The transition plan in the IFSP should describe the steps and services that the IFSP team, including the family, identifies as needed for that child and his/her family to exit from part C. The steps shall include, as appropriate:
    - 1) Discussions with and training of parents, regarding future placements and other matters related to the child's transition;
    - 2) Procedures to prepare the child for changes in service delivery, including steps to help the child adjust and function in a new setting;
    - 3) Identification of transition services and other activities that the IFSP team determines are necessary to support the transition of the child;
    - 4) Confirmation that referral notification information about the child has been transmitted to the SEA and LEA, unless the parent declined the notification; and,
    - 5) With written parental consent, release the child's EI record to the LEA to ensure continuity of services from part C to part B, including a copy of the most recent evaluation and assessments of the child and the family and most recent IFSP.
2. Review the program options for the child for the period from his/her third (3<sup>rd</sup>) birthday through the remainder of the school year.
3. Parents that decline the **Disclosure of Referral Notification from Part C to Part B** shall be offered assistance through the development of a Community Transition Plan.

## D. Transition Conference to Discuss Part B services

1. BWEIP shall ensure that:
  - a. The EI program, with the approval of the family of the child, convenes a conference among the EI program, the family, and the LEA not fewer than ninety (90) days; and, at the discretion of all parties, not more than nine (9) months before the child's third (3<sup>rd</sup>) birthday to discuss any services that s/he may receive under part B; and
  - b. If the family of a child declines the **Disclosure of Referral Notification from Part C to Part B** to the SEA and LEA for special education preschool services under part B, the EI program, with the approval of the family, makes reasonable efforts to convene a transition conference among the EI program, the family, and providers of other appropriate services and supports in the community to discuss services that the child may receive.
  - c. The transition conference and the meeting to develop the transition plan (the transition conference and the IFSP to develop the transition plan meeting may be combined into one meeting) shall meet the requirements of part C procedures for IFSP development, review and evaluation and IFSP team meetings and or IFSP reviews that are conducted at the same time as the transition conference require the attendance of a representative of the LEA, and members of the IFSP team, including the parent, the designated service coordinator, person or persons involved in evaluations and assessments and person or persons that provide EI services to the family and as requested by the family other family members, a person or advocate outside the family and a USDB representative if the child is receiving those services.

## **F. Procedures for Transition Events Timing:**

### **1. Transition Introduction - Initial IFSP:**

- a. The EI program shall discuss with parents the following:
  - 1) During the initial IFSP meeting, what "transition" from EI means;
  - 2) The concept of transition at age three (3) or when a child attains his/her IFSP goals; and
  - 3) The timing of transition events and services throughout the child's enrollment in EI.

### **2. Referral Notification Discussion – At or near second (2<sup>nd</sup>) Birthday IFSP or IFSP Review:**

- a. The EI program shall discuss with parents the following:
  - 1) Placement options available for their child at age three (3), special education preschool, Head Start, or other;
  - 2) General information on special education preschool eligibility;
  - 3) The referral notification requirement to the SEA and LEA when their child is twenty-seven (27) months old, which includes the child's name, date of birth, primary language and parent's contact information;
  - 4) The option to decline the referral notification to the SEA and LEA by signing and dating the Disclosure of Referral Information form; and
  - 5) The parent can reverse their decision to decline the **Disclosure of Referral Notification from Part C to Part B** at any time by providing written notice to the EI program.
- b. The referral notification begins the process of planning transition to special education preschool.
- c. After the referral notification is sent to the SEA and LEA, parents will help develop a transition plan and attend a transition conference, not fewer than ninety (90) days and not more than nine (9) months before the child's third (3<sup>rd</sup>) birthday.

### **3. Transition Plan - IFSP or IFSP Review not before twenty-seven (27) months but no later than thirty-three (33) months:**

- a. The EI program shall complete special education preschool transition planning with the parent or guardian by discussing:
  - 1) Information about the local special education preschool and the Individualized Education Program (IEP) process;
  - 2) Skills the child needs for special education preschool preparedness;
  - 3) IFSP outcomes and any services needed to prepare the child and family for service delivery in another setting;
  - 4) Other services that may be available in the community in addition to special education preschool;
  - 5) Consent to release the information in their child's EI record to the local school district's special education preschool program; and
  - 6) Transition conference arrangements.
- b. Parents that decline the **Disclosure of Referral Notification from Part C to Part B** shall be offered assistance through the development of a Community Transition Plan.

4. **Transition Conference – Between twenty-seven (27) and thirty-three (33) months:**

- a. The EI program shall convene a transition conference:
  - 1) With verbal or written parent consent;
  - 2) No later than ninety (90) calendar days and at the discretion of all participants; and
  - 3) Up to nine (9) months prior to a child's third (3<sup>rd</sup>) birthday.
- b. Participants at a transition conference shall include:
  - 1) A parent of a child who is approaching three (3) years of age;
  - 2) A representative of the EI program;
  - 3) A representative of the LEA;
  - 4) Other family members, as requested by the parents, if feasible to do so;
  - 5) An advocate or person outside of the family (as appropriate), if requested by the parents;
  - 6) A representative from the Parent Infant Program if the child is receiving those services;
  - 7) A person or persons directly involved in evaluations and assessments; and
  - 8) A person or persons that provide EI services to the child and family.
- c. If a person listed above as appropriate is unable to attend a meeting, arrangements must be made for the person's involvement through other means, including one of the following:
  - 1) Participating in a telephone conference call.
  - 2) Having a knowledgeable authorized representative attend the meeting.
  - 3) Making pertinent records available at the meeting.
- d. During a transition conference, participants shall review a child's program options for the period from a child's third (3<sup>rd</sup>) birthday through the remainder of a school year.
  - 1) In the event that a representative of the LEA does not attend the transition conference for a child, the service coordinator shall conduct the transition conference as scheduled. The EI provider shall provide parents at the conference with information about part B preschool services. The information includes:
    - a) A description of the part B eligibility definitions, state timelines and process for consenting to an evaluation and conducting eligibility determinations under part B; and
    - b) The availability of special education and related services.
- e. The EI program shall transition and exit a child from EI services no later than the child's third (3<sup>rd</sup>) birthday.

**G. BTOTS Entries:**

1. Referral notification discussion shall include the date each was discussed:
  - a. Placement options at age three (3);
  - b. General special education preschool eligibility;
  - c. Referral notification process;
  - d. Automatic referral to part B special education preschool or **Disclosure of Referral Notification from Part C to Part B**; and
  - e. Disclosure of Referral Notification from Part C to Part B signature date if applicable.

2. Transition Planning shall include the date each was discussed:
  - a. Information on special education preschool, additional options and IEP;
  - b. Skills for special education preschool preparedness;
  - c. IFSP outcomes;
  - d. EI record release;
  - e. Transition conference arrangements; and
  - f. Other.
3. Transition Conference information shall include:
  - a. Conference date;
  - b. Attendees;
  - c. Placement;
  - d. Notes, and
  - e. Reason for any delay.

**V Related Directive(s):**

Section 639(a) (5) of IDEIA

34 CFR § 303.209: [Transition to preschool and other programs](#)

34 CFR § 303.210: [Coordination with Head Start and Early Head Start, early education, and child care programs](#)

34 CFR § 303.342: [Procedures for IFSP development, review, and evaluation](#)

34 CFR § 303.343: [IFSP Team meeting and periodic review](#)

34 CFR § 303.401: [Confidentiality and opportunity to examine records](#)

34 CFR § 300.124: [Transition of children from Part C program to preschool programs.](#)

(c) Each affected LEA will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10) of the Act.

**VI Revision Log:**

April 2013: **New** policy.

June 2013: **Revised or clarified** language. **Reorganized** sections.

October 2014: **Revised** timing of Referral Notification from child age 30 months to child age 27 months.

 Susan Ord, BWEIP Program Manager	<i>10-6-14</i> Date
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**Attachment 1: OSEP Letter to Hutton (Dated 2-9-2011)**

1. The **OSEP Letter to Hutton (Dated 2-9-2011)** question 4 and OSEP response may be accessed at <http://www2.ed.gov/policy/speced/guid/idea/letters/2011-1/huttoneast020911partctransition1q2011.pdf>.